

# The Columbus Commercial.

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\$1.00 A YEAR

## NO TOMBIGBEE IMPROVEMENTS

### The Government Engineers Turn Down Recommendations

The following special from Washington dated January 3rd, will be read with disappointment and great regret by the people of Columbus, and along the river to Demopolis:

The report of the United States engineers on the Tombigbee river from Demopolis, Ala., to Columbus, Miss., has just been made public, and it is a great disappointment to the advocates and friends of the proposed improvement. The last congress ordered a survey of this stretch of the river and the first report of the engineer who made the survey was unfavorable. Congressmen Candler, whose district is deeply interested in the project, learning that the report in question would be adverse, went to work getting up data showing the industrial developments of the Tombigbee valley.

The Progressive League of Columbus, Miss., prepared an elaborate statement giving present and prospective tonnage, money and other valuable statistics. Last September Mr. Candler and Mr. Humphreys, the latter being a member of the committee on rivers and harbors, appeared before the river and harbor board of engineers and by their presentations and arguments made such a favorable impression that the board refused to concur in the report of the local engineer.

A new investigation was ordered by the board of engineers and the facts and figures furnished by the Progressive League were sent to the local engineer for his further information and guidance. After a careful re-examination, the local engineer submitted another unfavorable report, in which he took sharp issue with the Progressive League regarding its statistics as to the commerce of the Tombigbee valley.

Satisfied that the subject need not be pursued beyond this point the board of engineers indorsed the report of the local engineer and the chief of engineers, Gen. MacKenzie, and the secretary of war have concurred in the indorsement. This means that the project, so far as the present congress is concerned, is laid upon the shelf.

The defeat of the scheme to deepen the channel of the Tombigbee between Demopolis, Ala., and Columbus, Miss., is keenly regretted by Congressman Candler, who worked two terms to get the survey, and through whose active efforts it was finally ordered in the last rivers and harbors bill. Undoubtedly had the figures furnished by the Progressive League of Columbus been sustained in the last examination of the engineers the project would have been recommended.

It was charged by the local engineers that inaccurate and misleading figures and statements were made by the Progressive League, one in particular being with reference to the steamer Tally, which was reported to have carried 30,000 tons in 1905. Maj. H. Jervey of the corps of engineers submitted with his report a letter from Mr. Kennerly, an employee of his office, showing that the steamer Tally at that time was a wreck.

It was what the engineers characterized as "inaccuracies" of this kind that prejudiced the board of engineers, Chief MacKenzie and the secretary of war against the Tombigbee improvements.

What Mr. Candler may be able to do next congress is problematical, but he is sure to keep up the fight.

## Negro Fails To Take Place In Postoffice.

A Hattiesburg, Miss., special says: A. S. Pitts, postmaster here,

has made several temporary appointments to clerkships in the office and thus effectively ended the effort of the negro, W. T. George to get a place in the office. The postmaster filled the places after having peremptorily notifying the negro to report and after having waited a reasonable time for reply without receiving any. George is now applying to the civil service authorities direct at Washington for a transfer to some other office, on the representation that he was deterred from taking the position here by fear of mob interference, but there is nothing in the record to sustain this allegation. Postmaster Pitts has received no communication from Washington on the subject.

## ASKS DAMAGES FOR AN ASSAULT BY NEWS BUTCH

### A Unique Case Hinges On The Liability Of Railroads For The Conduct Of "Butchers"

A Jackson, Miss., special says:—The question of whether a railroad company is liable for the acts of news agents employed on its trains will soon be brought before the supreme court for settlement, on appeal from the circuit court of Perry county, where an action is pending against the New Orleans & North-Eastern road, R. L. Alford having brought suit against the corporation alleging that he was assaulted by a news butcher named G. M. Tucker.

The "butch" was employed by a news company having contract with the railroad carrying the right to sell papers, candies, etc., on the N. O. & N. E. trains and was in no sense an employee of the railroad proper, but attorneys for the plaintiff allege that the railroad is nevertheless liable. The question has never been tested in the courts of this state, and its outcome will be awaited with some interest, owing to the fact that some news butchers are endowed with belligerent natures.

### Who Did It?

Says an old man from the country, "I can buy a machine from CHICAGO for \$10.00 laid down, just as good as any SINGER." Well he got the machine for \$10.00 O. K. but in about three weeks he sneaked in our back door, and said: "That 'darned' old machine won't sew a stitch, so to keep peace in the family you can crate me up a SINGER." We did, and they lived happily ever afterwards.

J. H. BELL, MGR.

## SKATING RINK AT LAKE PARK

### To Be Opened Monday Night—A Big Time Promised

The Street Railway Company has completed arrangements for the formal opening of the skating rink at Lake Park next Monday night, at which time all ladies will be permitted to skate free.

The pavilion has been enclosed with canvass and regardless of the weather, every one will be made comfortable.

Food don't digest? Because the stomach lacks some one of the essential digestants or the digestive juices are not properly balanced. Then, too, it is this undigested food that causes sourness and painful indigestion. Kodol For Indigestion should be used for relief. Kodol is a solution of vegetable acids. It digests what you eat, and corrects the deficiencies of the digestion. Kodol conforms to the National Pure Food and Drug Law. Sold here by L. E. Mayfield.

### For Sale.

For a limited time I offer for sale my property on Main street, known as the WEST HOUSE; including entire furnishings which are new and up-to-date. The building has recently been thoroughly cleaned and repaired. For prices and terms call on me. 1m MRS. L. S. WEST.

Capt. Art Ervin, of Crawford, was in the city Friday.

## INSPECTOR COMES, AND HE GOES

### Without Any Body Being The Wiser--Will Make Report

Mr. S. H. Neely representative of the Treasury Department of the Government, spent Thursday and Friday in the city examining the sites offered for the Post Office building. He had been here a day with a map of the city, and looked at the places offered over before any one knew of his presence, and after it became known that he was here no one became any wiser as to what place would be selected.

Mr. Neely makes his report to the Treasury Department and the matter is handled in a systematic way but by very slow process.

It will doubtless be six months before the site is selected and then it will require a year and a half or two years to get the building.

### Early to Bed.

And early to rise, makes one healthy, happy and wise—especially if you take Herbine before retiring. A positive cure for Constipation, Dyspepsia and all liver complaints. Mrs. S., Columbia, Tenn., writes: "I always keep a supply of your Herbine on hand. Am so pleased with the relief it gives in constipation and all liver complaints, that words can't express my appreciation." Sold by Johnston & Caine.

## WANT RAILROAD BONDS DECLARED VOID

### Sensational Suit Filed at Jackson Against Yazoo & Mississippi Valley Railroad

At Jackson Friday a bill in equity containing several allegations was filed in the chancery court by B. W. Griffith and B. B. Martin, of Vicksburg, against the Illinois Central, Yazoo and Mississippi Valley road, the Metropolitan Trust Company of New York. Complainants seek to have declared fraudulent and void all bonds issued by the Yazoo and Mississippi Valley railroad since 1864. They are holders of \$47,000 in the Yazoo and Mississippi Valley stock and \$95,000 of income bonds of the Louisville, New Orleans and Texas road, purchased in the early 80's by the Yazoo and Mississippi Valley system.

Among other things it is alleged that Yazoo and Mississippi Valley earnings have been wrongfully diverted instead of being applied to the redemption of bonds and payment of interest thereon, that bonds of which they are part holders were secured by a first lien on lands in the delta valued at \$5,000,000, which have since been disposed of. The bill demands a full accounting of all bond issues and the earnings of the road, and asks an injunction restraining the Illinois Central and other defendants from disposing of the bonds.

### K. of P. Notice.

There will be a special meeting Tombigbee Lodge No. 12 Tuesday night, January 8th, for the purpose of installing officers for the ensuing term.

A full attendance is desired. W. S. MULLINS, C. C. H. P. SHERROD, K. of R & S.

### A New Grocery Concern.

Mr. T. J. Locke, Sr., and his son, Mr. J. R. Locke, under the firm name of the T. J. Locke & Son Grocery Co., have opened up at No. 121 North Market street, with a full line of staple and fancy groceries and they solicit the patronage of the public generally and guarantee satisfaction to their customers. Their phone No. is 233 and all orders will be promptly delivered.

Clear up the complexion, cleanse the liver and tone the system. You can best do this by a dose or two of Dr. Williams' Little Early-Risers. Safe, reliable little pills with a reputation. The pills that everyone knows. Recommended by L. E. Mayfield.

## GOVERNOR CHARGED WITH GRAFT

### A Very Sensational Report is Submitted By Warden J. J. Henry.

Jackson News Jan. 1st, says:—A profound sensation followed the transfer of the penitentiary property from the board of control to the new board of trustees, Warden J. J. Henry submitting a final report in which charges of graft are preferred against Governor Vardaman.

Warden Henry asserts his charge in a bold and straightforward manner, alleging that on two occasions the governor purchased horses for his private use and had them shipped at the expense of the state, and in the same cars with horses purchased for the state. He also calls attention to the fact that the governor used convicts around the mansion as servants, when he declared at the beginning of his administration that he considered such employment of convicts a form of dishonesty.

The report has been filed with the secretary of the board of control, and is as follows:

To the Honorable Board of Control: In addition to my regular and prior report, and supplemental thereto, I desire to refer to the charges of incompetency and unfaithfulness that have been brought against me by his excellency, James K. Vardaman, chairman of the board of control. In this connection I wish to say that after I had served under him from January to November, and after he had every opportunity to judge of my competency the governor considered me worthy to fill the responsible position which I then held and now hold, and cast his vote for me at the election of officers of the penitentiary in November, 1904. It may not be improper to state that the governor was the first member of the present board of control who voted to make me warden for a regular term.

Since that action on his part the governor decided it suited his purpose to establish me as "incompetent." The apparent reason for this is that I did not recognize the governor as the whole board. In reply to the charge of incompetency I will specify two business transactions, among many, which show that the governor himself is so very incompetent that he is not capable of judging of the competency of any one. The board will pardon my reference to these two particular transactions which establish the governor's incompetency.

First. The honorable board of control at his request, allowed the governor to manage the Oakley place for the year 1906. Under his management the records show a net loss of \$4,215.20.

Second. The board followed the insistence of the Governor in the purchase of mares for raising mules on the Oakley place, and in the spring of 1905 invested \$6,140.68 in this venture. The records show the net and sole result of this venture is one little mule. The board will pardon the reminder that I opposed both propositions.

In addition to his frequent attacks on me in the newspapers the governor most wrongfully misrepresented me in his message to the legislature. I quote this extract from that state paper:

"The predecessor of the present incumbent (warden) was discharged for clearing his own land with state convicts, and the present incumbent (that is me) recommended the leasing of his friends' land when he knew that the welfare of the convicts and the interests of the state demanded that the convicts be concentrated upon the state's property."

This statement is directly in conflict with the facts as shown by the records. The records of the board of control (Minute

Book 5, page 342) which are signed by J. K. Vardaman, chairman, show that this charge is absolutely unfounded. It will be seen by reference to this public record that I recommended that the board should retain only from 1,000 to 1,500 acres of private land, without specifying any one's lands, for the good reasons among others, that the state did not then have sufficient cleared land of its own to profitably employ all of the convicts. I now state for the first time that I then thought, and now think, the retention of the Sandy Bayou place was advisable, because the records showed, and now show, that in addition to being the most healthful, it was the most profitable private place ever worked by the state, and that it has been so ever since it was first leased during Governor Stone's administration.

In view of these facts, and the further fact that during the year 1903 the Sandy Bayou place had returned a net profit of \$17,686.86, I was amazed to see the governor cast his vote against this place, and in favor of a place that had not been profitable, but which the records show had lost during the year 1903 the sum of \$63.74, a difference against the Sandy Bayou place of \$17,750.60. This vote was cast in the face of the oft repeated assertion by His Excellency that he was actuated only by what he considered to be the best interests of the state; in this vote he missed the best interests of the state by \$17,750.60. Why this favoritism?

The governor may still claim that he voted solely for the best interests of the state, and has never lost an opportunity to proclaim his honesty. The facts speak for themselves.

It seems that he was so honest that when shortly after he was inaugurated I offered him a convict to work at the mansion, the governor, with an air of apparent superior virtue, said that he would not accept it, and that he was going to run an honest administration, according to law. However, it was not very long before he changed his idea of honesty, and called on me to assign him a convict to work at the mansion, which direction I obeyed. Later, his idea of honesty became still more elastic, and he soon made a requisition for and had two convicts at work instead of one.

This is a sample of the conduct of the public official who brings charges of incompetency against me. Another sample of his ideas of honesty is found in the transactions that he has had in purchasing horses for himself in connection with purchases of horses for the state. He bought, on one trip, a black mare named "Maud" which was shipped in the same car with the state's horses. It is also a fact that he had another horse transaction in connection with the business of the state, which demonstrates that he, at least, was not careful to avoid the appearance of evil.

If I had been guilty of acts that bear such a striking resemblance to graft as these acts of His Excellency, I would enter a plea of guilty to the charge brought by the governor's legislative committee of appropriating public property to private use.

The chairman of this committee stated that he could not identify one single item that I had received as "public property," and that the committee based their charges against me alone on the fact that there had been shipped to me several items; a sack of goobers, one little dog weighing ten pounds, some lard and some molasses, from the

same place that the state used as a shipping point. I admit receiving these items, which were forwarded without my knowledge, through the courtesy of the sergeant in charge, and when received I considered them too trifling to return. As nearly as I can estimate, these items aggregate, during the four years I have been warden, the sum of \$13, and I now tender the board this sum in payment of the same.

If the governor will pursue a like course, the profits of the penitentiary will be increased by the value of the labor of the convicts, who long rendered him personal services, as he stated above, and the acceptance of which the governor himself characterized as fraudulent misappropriation of the people's labor.

Respectfully,  
J. J. HENRY, Warden.

## JUDGE NILES UPHOLDS UNDERWEAR MILL INJUNCTION

### His Decision a Disappointment To Attorneys And Witnesses Who Attended Hearing.

A letter was received Saturday morning from Judge Niles stating that he declined to dissolve the injunction in the Underwear Mill case.

This information comes as a distinct surprise to the attorneys and witnesses from Columbus, who attended the hearing held in Kosciusko last Thursday, as they all stated that the Judge indicated clearly that his decision would be different.

A meeting of the bond holders will be held Monday and some plan of battle will be decided upon. In the meantime the mill will remain closed.

### What's.

Worth doing is worth doing well. If you wish to be cured of Rheumatism, use Ballard's Snow Liniment and you will be "well cured." A positive cure for Sprains, Neuralgia, Bruises, Contracted Muscles and all the ills that flesh is heir to. A. G. M. Williams, Navasota, Texas, writes: "I have used Snow Liniment for sprained ankle and it gave the best of satisfaction. I always keep it in the house." Sold by Johnston & Caine.

### More Trouble.

More trouble has arisen in Columbus, 6 fights and 7 quarrels, but not serious, over an old worn out sewing machine. J. H. Bell, "The Singer Man" has been summoned, and the trouble has been settled, and nothing further is expected, but joy and happiness in their homes over the New Singer Machine. The only strictly High-class light running machine, "The Woman Pleaser" Phone 58. J. H. BELL, Mgr.

"They like the taste as well as maple sugar" is what one mother wrote of Kennedy's Laxative Cough Syrup. This modern cough syrup is absolutely free from any opiate or narcotic. Contains Honey Tar. Conforms to the National Pure Food and Drug Law. Sold by L. E. Mayfield.

## PARTICIPANTS IN CRAWFORD MURDER

### Arrested Thursday and Are In Louisville Jail.

George, Lum and Hatchett Longstreet, the three negroes who participated with their brother Mose, in the murder of conductor Harrison in Crawford Christmas morning and made their escape were arrested Thursday near Louisville Miss., and they are now in jail at that place.

The negroes had secured employment as section hands on the M. J. & K. C. R. R. Mr. Birt Halbert a traveling man who resides at Crawford, was on a train passing where the force was at work and happened to look out the window and see the negroes whom he knew. He reported the matter to the R. R. officials and they sent an engine out under the pretense of bringing the force in to clear up a wreck. Being surrounded by a strong guard the Longstreet negroes offered no resistance when told that they might consider themselves under arrest.

Sheriff when seen Saturday said he had been notified, but not officially, that the negroes were in the Louisville jail. He expects to hear from the sheriff of Winston county in a day or so, but until he does will not take any action.

The fear was expressed by some one that it might not be safe to bring the negroes here, but there is absolutely no foundation for such fear.

The gentlemen who volunteered to go to Wabash and who were on the train when conductor Harrison was killed and participated in the search for the negroes above mentioned have as much feeling, possibly, in the matter as any one else, and there is not one of them but who wants to see the courts decide as to their guilt or innocence.

## ANNUAL MEETING STOCKHOLDERS

### Of East Mississippi and West Alabama Fair Association.

A meeting of the stockholders of the East Mississippi and West Alabama Fair Association will be held at the court house Wednesday, January 9th, at 11 o'clock a. m. All interested are urged to be present.

J. T. ARMSTRONG, President.

JNO. D. OLIVER, Secretary.

The Lake Park Skating Rink will be opened on Monday night, Jan. 7th.



**YOU LIKE IT**

YOU are not a shoemaker, so there's no need of going into an analysis of the construction of the "Queen Quality" Shoe. But the fact remains that it satisfies over two million wearers. They know they like it; that it gives style to the foot; that it gives comfort the first day worn. And that is enough. It holds its shape longer than other ready made shoes because it fits. Yet the enormous business done on "Queen Quality" Shoes keeps the prices moderate.

**SAM SELIG, Sole Agt.**

\$3.00 \$3.50 \$4.00